



STATE OF MINNESOTA DOCKET FILE COPY ORIGINAL
OFFICE OF THE ATTORNEY GENERAL

HUBERT H. HUMPHREY III
ATTORNEY GENERAL

March 16, 1998

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Via Federal Express

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Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

Re: In the Matter of a Petition of the State of Minnesota for a Declaratory Ruling Regarding the Effect of Sections 253(a), (b) and (c) of the Telecommunications Act of 1996 on n Agreement to Install Fiber Optic Wholesale Transport Capacity in State Freeway Rights-of-Way CC Docket No. 98-1

Dear Ms. Salas:

Enclosed please find the original and four copies of the Motion for Three-Week Extension of Time Deadline From March 24 to April 14, 1998 for Filing Reply Comments of the State of Minnesota. Also enclosed is an Affidavit of Service.

Respectfully submitted,

SCOTT WILENSKY
Assistant Attorney General
Residential and Small
Business Utilities Division
(612) 297-4609

Enclosures

No. of Copies rec'd 045
List ABCD

AFFIDAVIT OF SERVICE

RE: In the Matter of a Petition of the State of Minnesota for a Declaratory Ruling Regarding the Effect of Sections 253(a), (b) and (c) of the Telecommunication Act of 1996 on an Agreement to Install Fiber Optic Wholesale Transport Capacity in State Freeway Rights-of-Way
CC Docket No. 98-1

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Betty L. Donicht, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on March 16, 1998, she caused to be served the **Motion for Three-Week Extension of Time Deadline From March 24 to April 14, 1998 for Filing Reply Comments of the State of Minnesota**, by depositing the same in the United States mail at said city and state, true and correct copy(ies) thereof, properly enveloped with prepaid first class postage, or by overnight Federal Express, as indicated, and addressed to:

Magalie Roman Salas (Orig. + 4, Fed. Express)
Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

Richard Metzger (1 copy, Federal Express)
Common Carrier Bureau
Federal Communications Commission
1919 M Street, NW, Room 544
Washington, DC 20554

Richard Johnson, Esq. (1 copy, U.S. Mail)
Moss & Barnett, P.A.
4800 Norwest Center
90 South 7th Street
Minneapolis, MN 55402-4119

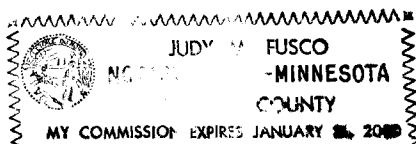
ITS (1 copy, Federal Express)
1231 - 20th Street, NW
Room 102
Washington, DC 20036

C. Joel Van Over (1 copy, Federal Express)
Swidler & Berlin, Chartered
3000 K Street, N.W., Suite 300
Washington, DC 20007

Betty L. Donicht

Subscribed and sworn to before me on
March 16, 1998

Judy M. Fusco
NOTARY PUBLIC



BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

In the Matter of)	
)	
The Petition of the State of Minnesota,)	CC Docket No. 98-1
Acting by and Through the Minnesota)	
Department of Transportation and the)	
Minnesota Department of)	
Administration, for a Declaratory Ruling)	
Regarding the Effect of Sections 253(a),)	
(b) and (c) of the Telecommunications)	
Act of 1996 on an Agreement to Install)	
Fiber Optic Wholesale Transport)	
Capacity in State Freeway Rights-of-Way)	
)	

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**MOTION FOR THREE-WEEK EXTENSION OF TIME DEADLINE
FROM MARCH 24 TO APRIL 14, 1998 FOR FILING REPLY
COMMENTS OF THE STATE OF MINNESOTA**

The State of Minnesota, through undersigned counsel and pursuant to the Section 1.46(c) of the Commission's Rules, hereby moves for a three-week extension of the deadline to file reply comments in the above-captioned proceeding.

The State of Minnesota is the Petitioner and has a substantial stake in the outcome of the Commission's decision regarding the legal and factual issues raised related to freeway rights-of-way in this state. The number of comments submitted in this proceeding are voluminous. The State of Minnesota needs additional time to respond to various allegations made by the many opponents of the Petition. Although the State of Minnesota requested overnight delivery of all comments from International Transcription Services, Inc., it did not receive all comments filed in opposition until Thursday, March 12, 1998. The State project team met on March 13, 1998 and determined that the State needed additional time to respond to the numerous factual and legal

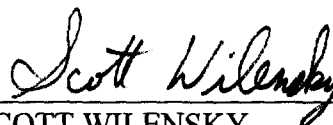
issues raised by the opponents to the Petition. The importance of this issue to the various stakeholders requires that the Commission have a complete record which allows for full response to all of the claims made. The State of Minnesota requested expedited review and is the party most harmed by any delay. However, given the choice between delay and inability to respond, we believe a limited three-week delay is reasonable.

Thus, the State of Minnesota respectfully requests that the Commission grant the three-week extension requested herein on an expedited basis, given that the deadline for filing reply comments in this docket is Tuesday, March 24, 1998. We continue to seek expedited treatment of this matter once the Commission has received all of the Reply Comments

Dated: March 16, 1998

Respectfully submitted,

HUBERT H. HUMPHREY III
Attorney General
State of Minnesota



SCOTT WILENSKY
Assistant Attorney General

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445 Minnesota Street
St. Paul, Minnesota 55101-2130
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